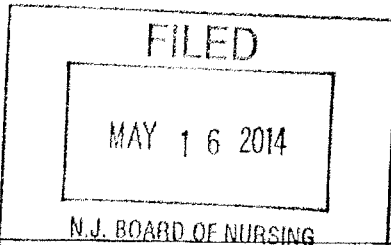
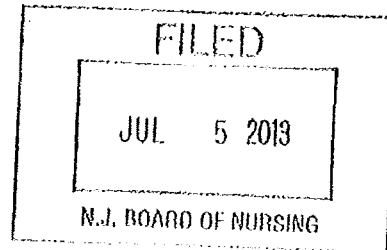


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF NURSING

~~IN THE MATTER OF THE SUSPENSION OR~~  
REVOCATION OF THE CERTIFICATE OF

JULIETA AGUILA, C.H.H.A.  
Certificate No. 26NH12270100

HOMEMAKER HOME HEALTH AIDE  
IN THE STATE OF NEW JERSEY

ADMINISTRATIVE ACTION

PROVISIONAL ORDER OF DISCIPLINE

Finalized by Default on: 05/16/14

**FINAL**

This matter was opened to the New Jersey State Board of Nursing (hereinafter the "Board") upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Julieta Aguila ("Respondent") was certified as a homemaker-home health aide in the State of New Jersey on October 4, 2010. (See L2K printout, annexed hereto as Exhibit A).

2. On or about June 25, 2011, Respondent provided care to a patient at St. Ann's Home in Jersey City, New Jersey. A video

recording taken by St. Ann's Home shows that Respondent turned the patient toward herself without the use of a guardrail, placed the same towel that was around her own face over the face of the patient, failed to wash her hands after cleaning the patient's colostomy bag and before continuing to care for the patient, and appeared to strike the patient twice. (Video is available and may be viewed upon request).

#### CONCLUSIONS OF LAW

Respondent's unprofessional and substandard of care of a bedridden patient, as heretofore described, constitutes professional misconduct in violation of N.J.S.A. 45:1-21(e).

ACCORDINGLY, IT IS on this 5<sup>th</sup> day of July,  
201<sup>3</sup>, ORDERED that:

1. Respondent's certificate to practice as a homemaker-home health aide be and hereby is provisionally reprimanded.

2. Respondent shall successfully complete and obtain a passing grade in a refresher course from board approved homemaker-home health aide training program or re-take a Board approved homemaker-home health aide training course within six months of the date any Final Order is entered in this matter.

3. Respondent may request a modification or dismissal of the above stated Findings of Fact or Conclusions of Law within 30 days of the date this Provisional Order is filed by:

- a) Submitting a written request for modification or dismissal to George Hebert, Executive Director, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.
- b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.
- c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefore or offered in mitigation of penalty.

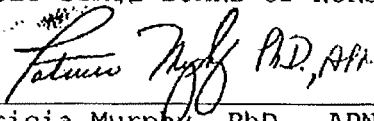
4. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order will be entered.

5. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

6. In the event that the Board receives no written request for modification or dismissal within 30 days following entry of this Provisional Order, without further Board review, all referenced preliminary Findings of Fact and Conclusions of Law and all provisional sanctions or penalties imposed by this Order shall automatically become the Final Decision and Order of the Board. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

NEW JERSEY STATE BOARD OF NURSING

By:

  
Patricia Murphy, PhD., APN, FAAN  
President